

**MINUTES**  
**TOWN OF EAST FISHKILL**  
**TOWN BOARD MEETING**  
**MAY 26, 2022**  
**7:00 p.m.**

**REGULAR BOARD MEETING**

The Town of East Fishkill's Town Board Meeting on May 26, 2022 was called to order at 7:00 p.m. by Supervisor D'Alessandro with the Pledge of Allegiance to the Flag. Supervisor D'Alessandro asked for a moment of silence for the families and victims of the Buffalo and Texas shootings.

**Presentation:**

Supervisor D'Alessandro stated there was a presentation to be made to Heather Ann Pitcher from the National Alliance on Mental Illness – Mid-Hudson. He presented her with a proclamation for Mental Illness Awareness. Ms. Pitcher stated May is Mental Health Awareness Month and she explained her organization and thanked the Board for their support.

**Supervisor's Announcements:**

Supervisor D'Alessandro stated he had to acknowledge the horrific loss of life in Buffalo, NY and Uvalde, TX. This is a very difficult, broken time and we cannot continue to have terror and hate in the United States. These issues need to be addressed by the highest levels of government. He asked everyone to pray for the victims that this has affected and the whole country as well.

Supervisor D'Alessandro met with the Mayors and Supervisors Association meeting. This month Habitat for Humanity of Dutchess County was present and gave an overview of what they do.

Last week was National Police Week, which is a collaborative effort among many organizations that are dedicated to honoring America's law enforcement community. Today there was a ceremony at the Dutchess County Sheriff's office. It was a very nice ceremony. The first weekend in May, Sydney Park, Ms. New York, came to visit the community. She toured our town and the community and county.

Supervisor D'Alessandro attended the Dutchess County Chamber of Commerce contact breakfast last week. It is a great way to connect with local businesses. The County Executive was the keynote speaker and gave an overview of the State of the County Report. The County will be implementing an affordable housing trust.

The Town Board issued an RFQ for qualification for surplus property across the street from the Town Hall. Only two companies have picked up the proposal. The submittal date is June 6, so they are going to extend it to June 30.

Supervisor D'Alessandro has been working closely with the Economic Development Director and the Grants Coordinator. The Economic Development Director gave an update at the workshop prior to this meeting. There are also several grants going on currently. They are waiting to hear the winner announcement for the New York State CMAC grant. They have submitted this two years in a row for the Route 82 Traffic Mitigation Plan. They also applied for the Downtown Revitalization Grant as well as several smaller grants.

There was also a meeting with the Economic Development Director and one of the members of the Economic Development Committee to discuss how they can expand the cultural plans and events in Town.

Supervisor D'Alessandro attended the East Fishkill Historical Society Event Civil War Reenactment Weekend. They did an excellent job.

Supervisor D'Alessandro has been meeting with the Engineer and the Highway Superintendent and Comptroller to discuss paving for the season. They are hoping to get the Hopewell North Water District done.

Last Saturday, on behalf of Dutchess County Executive, the Supervisor attended the Town of Pawling's Library Centennial Gala. It was a very nice event.

Last Friday evening Supervisor D'Alessandro attended the East Fishkill Fire District Inspection Dinner. It is always a great event. If the Town has to go to paid service for this it would probably be a 30 to 40% tax increase. Please consider volunteering.

**Roll Call:** Supervisor D'Alessandro asked the Town Deputy Clerk to call the rolls.

Board Members in attendance were

Anil	Thomas	Emanuele	Nicolas
Beephan	Franco	Marinaro	D'Alessandro

Also in attendance were:

Tom Wood, Attorney; Scott Bryant, Engineer; and Mark Pozniak, Comptroller.

### **Public Hearings:**

1. Open Adjourned Public Hearing to consider Establishing Rules and Regulations for Water Districts within the Town

Motion to open the adjourned Public Hearing to consider establishing rules and regulations for water districts within the Town: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Supervisor D'Alessandro stated this Hearing was opened several months ago. It was then adjourned because they wanted it to be a little bit more inclusive.

Engineer Bryant stated they are trying to address water issues that have occurred in recent years with certain subdivisions that have been approved that are isolated and away from the Hamlet itself. Since they are isolated, when there is a problem there is no simple fix. As more projects come before the Board the idea is to make sure that they have secured adequate water sources. This will prevent one well going down and not having additional wells to supply the demand. With current supply issues it could take six months to get a pump. It is very important to have redundancy for our water system. The other component is irrigation. That takes a huge demand on the water systems. 10 years ago it was not a big thing in Hopewell Junction, but with all the cluster subdivisions the irrigation demand is tenfold what the potable demand is. They need to put certain regulations in place regarding irrigation so that if a system does fall short, the Town can enact restrictions and impose penalties if the restrictions are not adhered to. It is basically trying to prevent future emergencies from happening such as what is happening in Four Corners.

Supervisor D'Alessandro stated that is the intent of this law. There needs to be a second and third redundancy for water. The Town would eventually like to have the loop that would connect all of the water systems, but some of them are just far off and not possible to connect in. With those further away systems if there is a problem it requires trucking in water to make sure there is potable water.

Engineer Bryant stated one of the difficulties is that typically water is found near water bodies and there is a very stringent permitting process to encroach upon those lands to drill those wells. That is why the developers do it before they get their approvals. Sometimes it can take three years to get those approvals to drill those wells.

Supervisor D'Alessandro asked if there were any questions or comments from Board members. There were none.

Supervisor D'Alessandro asked if there were any questions or comments from the public. There was no one.

a. Close the Public Hearing

Motion to close the Public Hearing: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

b. Adopt a Negative Declaration and Local Law

**Local Law No. 5 of 2022**

**(A Local Law Providing Rules and Regulations for Water Districts)**

**Section 1: Legislative Intent**

The Town has seen the development of largescale subdivisions that require substantial amounts of water for both potable and non-potable demands. Typically, these projects develop on-site water sources to meet demands. The New York State Department of Environmental Conservation and the Dutchess County Department of Health require that system demands can be met with the best well out of service.

The Town has encountered situations where the best well has failed followed by diminished capacity of the remaining wells. It can be very difficult and costly to locate and develop new wells that will replace those that have fallen out of service or have diminished yields. This has resulted in the declaration of water emergencies and usage restrictions for prolonged periods of time.

Non-potable demands such as irrigation may also place a great demand on these water systems. Supplying irrigation from potable systems may lead to over usage of wells and exceedance of storage capacities when combined with the potable water system.

It is the intent of this local law to ensure that proposed subdivisions and other development projects have adequate potable water supply even in the event of multiple well failures and to safeguard the potable water system from irrigation demands. The Town intends to provide an added level of protection to allow for the resolution of interruptions in source capacity.

## **Section 2: Addition of Water Regulations in the Town Code**

A new provision shall be added to Chapter 194 of the Town Code (Zoning) and include the following language added in **bold**:

**To ensure all current and future development projects in the Town have the necessary access to water, the following provisions shall apply to all applications pursuant Chapter 194 (Zoning) and Chapter 163 (Subdivision of Land) of the Town Code:**

- 1. All proposed subdivisions shall demonstrate that they can meet their potable water demands with the best two (2) wells out of service or provide an alternative redundant source with sufficient excess capacity.**
- 2. Irrigation systems shall be supplied through a waterline and well supply that is separate and apart from the potable system. Prior to approval of any application, an applicant must demonstrate that this separate non-potable supply shall not negatively impact the potable supply under any conditions.**
- 3. New subdivisions that request to connect to an existing municipal water system will only be approved if the existing system has enough excess capacity, as determined by the Town Engineer or a designee, to meet double the maximum day demand of the proposed development.**
- 4. New subdivisions connecting to an existing municipal system will be prohibited from drawing water for irrigation from that system unless approved in writing by the Town Engineer or a designee. Such approval can be suspended at any time in the event of a system wide water shortage as determined by the Town Engineer or a designee.**
- 5. Existing subdivisions that draw irrigation water from municipal systems are also subject to suspension of irrigation usage in the event of system wide water shortage as determined by the Town Engineer.**
- 6. Failure to comply with enacted suspensions of irrigation usage may result in fines in an amount of \$1,500 per day and/or suspension of water service.**
- 7. Requests from parcels located within an existing water district for a water service connection that will also include irrigation usage will be granted if the existing water district has enough excess capacity, as determined by the Town Engineer or a designee. Each parcel will need to provide a buy-in fee to support the irrigation demand. Such approval can be suspended at any time in the event of a system wide water shortage as determined by the Town Engineer or a designee.**

## **Section 3. Severability**

If any section or subdivision, paragraph, clause, or phrase of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made

thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

**Section 4. Effective Date**

This local law shall take effect immediately upon filing with the Secretary of State.

**BY ORDER OF THE TOWN  
BOARD OF THE TOWN OF EAST  
FISHKILL PETER CASSIDY,  
TOWN CLERK**

**Adopted on the 26th day  
of May, 2022**

VOTING	VOTE
Councilman Franco	AYE
Councilman Marinaro	AYE
Councilman Beephan	AYE
Supervisor D'Alessandro	AYE

# NEGATIVE DECLARATION

## Notice of Determination of Non-Significance

Date: May 26, 2022

This notice is issued pursuant to Part 617 of the implementing regulation pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of East Fishkill Town Board has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** **Rules and Regulations for Water districts in the Town of East Fishkill**

### Description of Action:

The proposed action is the establishment of rules and regulations for water districts to ensure that proposed subdivisions have adequate potable water supply even in the event of multiple well failures and safeguard the potable water system from irrigation demands.

SEQR Status: Type I        Conditioned Negative Declaration?        Yes  
Unlisted   **x**            **x**   No

Location of Action: Town of East Fishkill, County of Dutchess

The following documentation was analyzed in making this negative declaration:

  X   Short Form EAF

     Supplemental Part III Information

     Storm Water Pollution Prevention Plan (SWPPP)

      Other (Describe)

Name of Action: **Rules and Regulations for Water districts in the Town of East Fishkill**

For Further Information:

Contact Person: Peter J. Cassidy, Town Clerk  
Town Hall, 330 Route 376 Hopewell  
Junction, New York 12533 (845) 221-  
4303

## REASONS SUPPORTING THIS DETERMINATION:

(See 617.7(c) for requirements of this determination; see 617.7(d) for conditioned Negative Declaration)

The proposed action would establish rules and regulations for water districts to ensure that proposed subdivisions have adequate potable water supply even in the event of multiple well failures and would safeguard the potable water system from irrigation demands. The proposed action would create redundancy for the water supply and would not be expected to result in any significant adverse impacts on the environment for the following reasons:

1. It will not generate a significant amount of additional vehicles, noise or emission levels.
2. It will not affect rare or endangered species of animal or plant, or habitat of such species.
3. It will not result in any impacts to historic or archeological resources.
4. It will not result in any impacts related to hazardous materials.
5. It will not result in a significant effect on air, water quality or ambient noise levels for adjoining areas.
6. It will not be subjected to unacceptable risk of flooding or major geological hazards.
7. It will not have a substantial aesthetic affect.
8. It will not involve adversely affect any surface water or groundwater.
9. It will not allow for improper uses within specified zoning districts.
10. It will not result in adverse cumulative impacts.
11. It will not result in adverse growth-inducing impacts.
12. It will not conflict with the Town's Comprehensive Plan.

In conclusion, no significant potential impacts were identified as a result of the Proposed Action.

Based on a review of 6NYCRR 617.7, there appear to be no significant adverse environmental impacts.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

THIS NEGATIVE DECLARATION WAS AUTHORIZED AT A MEETING OF THE TOWN BOARD OF THE TOWN OF EAST FISHKILL HELD ON MAY 26, 2022.

\_\_\_\_\_  
Chairperson/Designee

\_\_\_\_\_  
Date

For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice Sent to:

- Commissioner, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-0001
- Appropriate Regional Office of the Department of Environmental Conservation.
- Office of the Chief Executive Officer of the political subdivision in which the action will be



principally located.

- Applicant (if any)
- Other involved agencies (if any)

VOTING	VOTE
Councilman Franco	AYE
Councilman Marinaro	AYE
Councilman Beephan	AYE
Supervisor D'Alessandro	AYE

Motion to adopt a Negative Declaration and Local Law: Board Member Franco.  
Seconded: Board Member Beephan. All voted in favor. Motion carried.

**Approve Minutes:**

April 28, 2022

Motion to approve the minutes for the April 28, 2022 meeting: Board Member Beephan.  
Seconded: Board Member Franco. All voted in favor. Motion carried.

**Announcement of Additions to the Agenda:**

Supervisor D'Alessandro said there were no additions to the agenda.

**Courtesy of the Floor:**

Supervisor D'Alessandro asked if there was anyone who wanted to speak about any general town issues.

Resident number one asked a question regarding safety measures being taken in our schools in light of what is happening. Supervisor D'Alessandro stated they have been discussing things with the School Superintendent to discuss protocols and procedures.

Police Chief Bellino stated that John Jay High School is manned full-time with an East Fishkill Police Officer. They are anticipating an increase for the need for more school resource officers, they did send another police officer last year to get certified as a school resource officer. They also just hired a new police officer who is already certified as a school resource officer. The school district has shown interest in putting something together in their budget but it is still in process. Resident number one asked if that was just for the high school or if it also covered the elementary schools. Chief Bellino stated

the goal is to expand it as far as possible. Board Member Beephan stated that there are state police on additional details throughout all of the district. Chief Bellino stated there is an officer at the elementary and middle school on a part-time basis. Patrols have been stepped up in the areas. They are also working with the school with safety drills.

**Receive and File:**

Supervisor D'Alessandro stated there is nothing for receipt and file.

**Resolutions:**

**1. Authorize Hiring Police Officer**

Supervisor D'Alessandro stated this resolution was being tabled.

**2. Authorize the 2022 Fee Schedule and Contract with Hudson Valley Animal Rescue and Sanctuary**

**RESOLUTION  
(AUTHORIZING THE 2022 FEE SCHEDULE AND CONTRACT WITH  
HUDSON VALLEY ANIMAL RESCUE AND SANCTUARY)**

**WHEREAS**, the Town of East Fishkill is charged with animal control within its boundaries; and

**WHEREAS**, it is necessary for the Town to have a proper shelter for any dogs seized by it; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor be and hereby is authorized to execute a contract for calendar year 2022 with Hudson Valley Animal Rescue and Sanctuary providing for the care of seized dogs; and

**BE IT FURTHER RESOLVED**, that the Town shall be reimbursed by any dog owner the sum of \$70.00 fee for the seizure of any unlicensed or stray dogs.

Motion to authorize the 2022 Fee Schedule and contract with Hudson Valley Animal Rescue and Sanctuary: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**3. Authorize the Hiring of Interns for Various Departments**

**RESOLUTION  
(AUTHORIZING THE HIRING OF INTERNS FOR VARIOUS DEPARTMENTS)**

**WHEREAS**, the Town has instituted an Intern program with local High Schools; and

**WHEREAS**, additional interns may be hired at the discretion of the Town Supervisor during the course of the summer based on the needs of the program; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the hiring of the interns mentioned on the attached hereto; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Comptroller is hereby authorized to place temporary interns on the Town payroll as approved by the Town Supervisor for the Town Hall that are required to meet the needs necessary to run the summer internship program not to exceed the budgeted amount; and

**BE IT FURTHER RESOLVED**, that said Interns shall work at the pleasure of the Town Supervisor in accordance with all the previously established rules and regulations and will be removed from the payroll upon completion of their tasks.

Motion to authorize the hiring of interns for various departments: Board Member Beephan. Seconded: Board Member Franco. All voted in favor. Motion carried.

#### **4. Authorize the Supervisor to Sign and File MS4 Annual Report**

##### **RESOLUTION** **(AUTHORIZING THE SUPERVISOR TO SIGN AND FILE THE MS4 ANNUAL REPORT)**

**WHEREAS**, the Town has prepared the 2022 Annual Stormwater Management Plan Report with respect to the MS4 permit and requirements of the New York State DEC; and

**WHEREAS**, said report has been made available to the public; and

**NOW THEREFORE BE IT RESOLVED**, that the Town Board does hereby authorize the Town Supervisor to sign and file the above named MS4 Report as prepared by the Town, with the New York State DEC in accordance with law.

Motion to authorize the Supervisor to sign and file the MS4 Annual Report: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

#### **5. Declare Certain Property Surplus – Police Department**

##### **RESOLUTION** **(AUTHORIZE DISPOSAL OF OUTDATED POLICE DEPARTMENT INVENTORY)**

**WHEREAS**, the Town Police Chief has provided the Town Board with a listing of inventory which he deems to be of no further use to the Police Department and thus, should be removed; and

**WHEREAS**, the Town Board has reviewed said lists and concurs;

**NOW, THEREFORE, BE IT RESOLVED**, that the inventory listed on the annexed memo be and hereby are declared to be outdated and are to be disposed of by the Town; and

**BE IT FURTHER RESOLVED**, that the Police Chief be and hereby is authorized to dispose of said inventory.

Motion to declare certain property as surplus in the Police Department: Board Member Marinaro. Seconded: Board Member Franco. All voted in favor. Motion carried.

**6. Award Bid for Remainder of Curbs and Sidewalks at the Community Center**

**RESOLUTION**

**(Award bid for Remainder of Curbs & Sidewalks at the Community Center)**

**WHEREAS**, the remainder of the Curbs and Sidewalks at the Community Center are in need of repair; and

**WHEREAS**, the Town Clerk was authorized to advertise and receive bids for such subject; and

**WHEREAS**, bids were received. The bid tabulations are hereby attached.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Engineer has recommended that the bid be awarded to the lowest responsible bidder. Con-Tech Construction Technology, Inc. is hereby awarded the bid at the price of \$42,805.00.

Motion to award bid for the remainder of the curbs and sidewalks at the Community Center: Board Member Franco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

**7. Extend Four Corners Water Usage State of Emergency – Water Conservation Measures to be Implemented**

**RESOLUTION**

**(AUTHORIZE WATER EMERGENCY EXTENSION AND USAGE RESTRICTIONS  
AT FOUR CORNERS WATER DISTRICT)**

**WHEREAS**, Four Corners Water District is operating with insufficient water source capacity as a result of the inability to utilize Well 1A per Department of Health; and

**WHEREAS**, the Town Board previously declared a Water Emergency for Four Corners Water District on May 21, 2021; and

**WHEREAS**, the Water and Sewer Department is requesting the Town Board extend an Emergency for Water Usage at Four Corners Water District; and

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board extends a Water Emergency for the Four Corners Water District; and

**BE IT FURTHER RESOLVED**, in response to the Water District emergency, the Town Board authorizes water use restrictions to be defined by the Water and Sewer Department.

Motion to extend Four Corners Water Usage State of Emergency – water conservation measures to be implemented: Board Member Beephan. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

**8. Authorize Bid for Construction of Well 5 and Treatment at Four Corners Water District**

**RESOLUTION**

**(AUTHORIZE BID ADVERTISEMENT FOR FOUR CORNERS WATER DISTRICT WELL #5)**

**WHEREAS**, the Water and Sewer Department is requesting that the Town Board authorize bids for the construction of Well #5 and the associated water treatment needed at the Four Corners Water District; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Clerk be and hereby is authorized to advertise for the above named bid; and

**BE IT FURTHER RESOLVED**, that following the advertisement receipt of bids, the summary of the bids received shall be filed with Town Board for further consideration and award.

Motion to authorize the bid for construction of Well 5 and treatment at Four Corners Water District: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**9. Authorize WSP Engineering to Explore Additional Alternate Well Site for Four Corners and Cannon Well Field**

**RESOLUTION**

**(AUTHORIZE TEST WELL EXPLORATION)**

**WHEREAS**, the Water and Sewer Department is requesting that the Town Board authorize well exploration at Four Corners Water District and Cannon Well Field; and

**WHEREAS,** WSP the Consulting Hydrogeologist has identified up to seven well locations; and

**WHEREAS,** WSP will need to seek Health Department and New York Department of Environmental Conservation approvals prior to installation of test wells; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board authorizes the advancement of the test well explorations.

Motion to authorize WSP Engineering to explore additional alternate well sites for Four Corners and Cannon Well Field: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**10. Authorize RFQ for Professional Services, including Engineering, Surveying, Geology, Hydrology, Survey's and Construction Services**

**RESOLUTION**

**(AUTHORIZE ADVERTISEMENT FOR WATER AND SEWER DEPARTMENT RFQ FOR PROFESSIONAL SERVICES)**

**WHEREAS,** the Water and Sewer Department is requesting Town Board authorization for advertisement of a Request For Qualifications (RFQ) For Professional Services; and

**WHEREAS,** the RFQ will seek Engineering, Hydrogeological, Surveying, and Construction Inspection/Management services; and

**WHEREAS,** it is the desire of the Town Board to advertise for responses; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Supervisor and Town Clerk be and hereby are authorized to advertise for responses for the Water and Sewer Department RFQ of Professional Services; and

**BE IT FURTHER RESOLVED,** that said responses shall be received and evaluated by the Supervisor and Water and Sewer Department so that a recommendation be provided to the Town Board for authorization.

Motion to authorize RFQ for professional services, including engineering, surveying, geology, hydrology, survey's and construction services: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**11. Authorize Grant Application to NYS for Emerging Contaminants Mitigation Program**

**RESOLUTION**  
**(AUTHORIZE WATER AND SEWER DEPARTMENT GRANT SUBMISSION FOR  
EMERGING CONTAMINANTS MITIGATION PROJECT)**

**WHEREAS**, the Water and Sewer Department is requesting Town Board authorization for submission of grant application(s) for the Emerging Contaminants Mitigation Project; and

**WHEREAS**, the grant program is administered through the New York State Environmental Facilities Corporation Drinking Water State Revolving Funds; and

**WHEREAS**, the Town will need to meet and adhere to all grant requirements; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board authorizes the submission of the Grant Application and accompanying documents; and

**BE IT FURTHER RESOLVED**, that the Town Supervisor, Nicholas D'Alessandro, is authorized to represent the Town for the Emerging Contaminants Mitigation Project.

Motion to authorize the grant application to NYS for Emerging Contaminants Mitigation Program: Board Member Franco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

**12. Authorize Circulation of Notice of Intent to be Lead Agency for  
Emerging Contaminants Mitigation Program**

**RESOLUTION**  
**(DECLARING INTENT FOR LEAD AGENCY FOR  
EMERGING CONTAMINANTS MITIGATION PROGRAM)**

**WHEREAS**, the Town of East Fishkill has experienced several lost water sources in the following water districts Four Corners, Hopewell Hamlet, Pine Wood Knolls, Fishkill Plains/Worley as well as the districts that are already interconnected with the above named districts due to emerging contaminants and diminishing well productivity; and

**WHEREAS**, the Town of East Fishkill needs to replace the water sources; and

**WHEREAS**, the Town is seeking new water sources and various district interconnections to mitigate these losses; and

**WHEREAS**, the Town will be seeking finding opportunities from the New York State Environmental Facilities Corporation as well as other eligible funding sources; and

**WHEREAS**, a Long Form Environmental Assessment Form (EAF) has been filed with the Town Board as required by 6 NYCRR §617.6(a)(2) to initiate the mandatory environmental review prescribed by the State Environmental Review Act (SEQRA) for the proposed project; and

**WHEREAS**, this resolution will initiate the SEQRA process for the Action contemplated by the Town as set forth above and the Town Board has undertaken an initial review of the Action as required by 6 NYCRR §617.6 of the SEQRA. The Town Board has reviewed the SEQRA list actions and is of the opinion the project is an Unlisted Action and desires to act as Lead Agency for the purpose of conducting the SEQR review; and

**NOW THEREFORE, IT IS RESOLVED**, that the Town Board hereby makes a preliminary classification of the Action as an “Unlisted Action” as such term is defined in 6 NYCRR §617.2. The Town Board hereby declares its intention to be Lead Agency for the purpose of conducting the SEQR review of the Action and that the Town’s consultants and employees are hereby authorized to forward appropriate notifications, and any other documents for listings, or other needs identified by various involved agencies; and

**FURTHER RESOLVED**, that the Town Board authorizes and directs the prompt transmission of the EAF with a Lead Agency Intent Notice for the purpose of conducting a coordinated SEQR review. Involved agencies must be agreed upon within 30 calendar days of the date the EAF is transmitted to them; and

**FURTHER RESOLVED**, that the Supervisor of the Town is authorized to execute such documents and take such lawful actions as either such officer may deem convenient, necessary or advisable in order to effectuate the foregoing resolutions, which actions may include without limitation seeking consents from other involved agencies to the designation of the Town as lead agency with respect to the Action.

Motion to authorize circulation of Notice of Intent to be Lead Agency for Emerging Contaminants Mitigation Program: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

### **13. Approve Bond Resolution for \$3.0 Million for Route 52 Corridor Traffic Improvement Area**

#### **RESOLUTION**

BOND RESOLUTION DATED MAY 26, 2022.

A RESOLUTION AUTHORIZING ROAD CONSTRUCTION AND REPAIR AT AUDITORIUM DRIVE/ PATRIOTS WAY AND RTE 52 CIRCLE, IN AND FOR THE TOWN OF EAST FISHKILL, DUTCHESS COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$3,000,000 AND AUTHORIZING,



**SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$3,000,000 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of East Fishkill, Dutchess County, New York, as follows:

Section 1. Road construction and repair at Auditorium Drive/ Patriots Way and Rte 52 Circle, in and for the Town of East Fishkill, Dutchess County, New York, including sidewalks, curbs, gutters, drainage, landscaping and other incidental improvements, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$3,000,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$3,000,000 serial bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of East Fishkill, Dutchess County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN FRANCO	VOTING AYE
COUNCILMAN MARINARO	VOTING AYE
COUNCILMAN BEEPHAN	VOTING AYE
SUPERVISOR D’ALESSANDRO	VOTING AYE

The resolution was thereupon declared duly adopted.

\* \* \* \* \*

Motion to approve the Bond Resolution for \$3.0 Million for the Route 52 Corridor Traffic Improvement Area: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

#### **14. Authorize Close Out of Contract for B & K Excavating and ELQ Industries**

##### **RESOLUTION** **(AUTHORIZE THE CLOSEOUT OF CONTRACTS)**

**WHEREAS**, the Town Board previously advertised and awarded bids for the John Jay Sewer Extension to Auditorium Dr and Route 82 & Fishkill Road Improvements; and

**WHEREAS**, the Town Engineer has indicated that the contracts have been completed and should be closed out; and

**WHEREAS**, the Town Board accepts his recommendation;

**NOW, THEREFORE, BE IT RESOLVED**, that the contracts with respect to John Jay Sewer Extension to Auditorium Drive (ED2021.01) awarded to B & K Excavating Inc and the Route 82 & Fishkill Road Improvements (ED2021.02) awarded to ELQ Industries be and hereby are accepted and determined to be complete; and

**BE IT FURTHER RESOLVED**, that the Town Engineer and Town Clerk may take such steps necessary to closeout said contracts authorized herein.

Motion to authorize the close out of contracts for B & K Excavating and ELQ Industries: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

## **15. Appoint the Town Historian**

### **RESOLUTION** **(APPOINTING A TOWN HISTORIAN)**

**WHEREAS**, the Town of East Fishkill is proud of the history of our Town; and

**WHEREAS**, the Town would like to engage in a Town Historian again; and

**WHEREAS**, the Town works closely with Richard Soedler of the East Fishkill Historical Society; and

**WHEREAS**, the knowledge that Richard has of the town is remarkable; and

**NOW, THEREFORE, BE IT RESOLVED**, that Richard Soedler be and hereby is appointed as the Town Historian for the Town of East Fishkill with a stipend of \$2,500.00 and to serve at the pleasure of the Town Board.

Motion to appoint the Town Historian: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

## **16. Acknowledge Hiring of Full-Time Seasonal Laborer for Highway Department**

### **RESOLUTION** **(ACKNOWLEDGE HIRING OF SEASONAL LABORER FOR HIGHWAY DEPARTMENT)**

**WHEREAS**, the Highway Superintendent has interviewed and hired a Full-time Seasonal Laborer for the Highway Department, and

**WHEREAS**, the Highway Superintendent has submitted a memo to the Town Board; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby acknowledge the hiring of Haicer Moreno Dominguez at an hourly rate of \$17.00 as a Full-time Seasonal Laborer in the Highway Department.

**BE IT FURTHER RESOLVED**, that upon completion of his task, Haicer Moreno Dominguez will be removed from payroll.

Motion to acknowledge the hiring of a full-time seasonal laborer for the Highway Department: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**17. Approve the Memorandum of Agreement for the CSEA contract 2022-2024**

**RESOLUTION**  
**(APPROVING CSEA CONTRACT FOR 2022-2024)**

**WHEREAS**, the Supervisor has presented to the Board a proposal to settle the above contract with the CSEA Union representing non Police employees; and

**NOW, THEREFORE, BE IT RESOLVED**, that the annexed Memorandum of Understanding is hereby accepted and approved; and

**BE IT FURTHER RESOLVED**, that the Supervisor be and hereby is authorized to execute a new Collective Bargaining Agreement for 2022-2024 in accord with the annexed Memorandum.

Motion to approve the Memorandum of Agreement for the CSEA contract 2022-2024: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**Additions to the Agenda by Majority Vote:**

There were none.

**Budget Transfer:**

Supervisor D'Alessandro stated there is a transfer at this time. He asked if there were any comments or questions. There were none.

Town of East Fishkill  
2022 Budget Transfer  
5126/2022

	<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>YTD</u>	<u>Proposed Budget Transfer</u>	<u>Modified Budget</u>
<b>General Fund</b>						
1 Increase Appropriation	A 7520.4	Historical Property	25,000	5,000	25,000	50,000
Increase Appropriation	A 1650.2	Central Communication System	10,000	0	20,000	30,000
Increase Estimated Revenues A980/4089		Federal Aid	0	(500,000)	(45,000)	(45,000)

Reason: To allocate additional funding for the Historic Society and Historic Rail Depot with Unanticipated Cares Revenue and to add additional funding for a Town-wide telephone system.\*\*\*

\*\*\*\* **note: negative numbers represent credit entries which increase Estimated Revenues and decrease Appropriations.**

Motion to approve the budget transfer as presented: Board Member Franco.  
Seconded: Board Member Beephan. All voted in favor. Motion carried.

**Comments from Town Board Members:**

Highway Superintendent Williams stated they have completed four roads for paving so far: Hidden Acres, McDonald Lane, Mey Crescent, and Sherwood Drive. They have also done the drainage before the paving on those roads. There has also been drainage and pipe work on Stormville Mountain Road. On Pleasant Hill they did pipe and catch basin work and catch basin work on Long Hill and Deer Lane. The jet vac has been working all week on the water shed area catch basin pump outs. Grading work from the rain has been worked on various roads as well. The tree crews have been out on road and some of the parks. They have been assisting the Rec Department and Red Wing Park with bringing in some beach sand. He wished everyone a Happy Memorial Day.

Police Chief Bellino invited the Town Board to tour their facility now that the remodel has been completed. This has been a two-year long project. There are some openings at the police station, and they have called for the civil service list. They have sent out canvas letters and had just started receiving them back. The Police Academy starts on July 5 and they hope to find candidates before then. This weekend is the East Fishkill Soccer Tournament, Stormville Flea Market, the Italian Festival, and the Memorial Day parade. There is also a stop DWI program happening this weekend. Please remember that this weekend is for those who gave their lives in support of freedom for this country. Please remember to thank them and their families.

Board Member Beephan thanked Miss New York for participating in the Hometown Hotspots Tour earlier this month. They did go to Wappinger's and Fishkill as well and the theme of the tour was women owned and women run businesses. This month also had International Firefighters Day. He thanked all of the volunteers. It has been a busy month for them. The CPCA Gala was hosted this month during national police week. They honored police officers involved in the organization who helps over 1000 kids impacted by domestic violence each year. He thanked them for all of the work that they do as well as all of the police officers for all that they do. Councilman Beephan attended the Wappinger Central School District art presentation at Mesier Park. The students did a phenomenal job. He congratulated Rini's Hair Sweet and Rough Cuts on their ribbon cutting. He wished everyone a happy Memorial Day weekend in hopes everyone remembers what the weekend is really about.

Board Member Marinaro thanked the Highway Department. A few residents called with concerns and the Highway Department responded quickly to correct the issues. A few weeks ago, there were meetings with the Community Day Committee. There is a new director, so this was a good jumpstart on the event. Bill Green is very happy with Red Wing Park and the lack of geese. He wished everyone a Happy Memorial

Day. It is really a day to remember those who have given the ultimate sacrifice for all of us.

Board Member Franco thanked Saratoga Associates and the East Fishkill Veterans Committee for the presentation this evening on the future Veterans Memorial Park to be located across the street from the Town Hall. If you did not see the presentation please view it on Channel 22. Hopefully next year the park will be ready to have Memorial Day over there. He thanked the Highway Superintendent for all of the progress he and his crew have been making. He wished everyone a great Memorial Day.

Clerk Cassidy wished Board Member Franco a Happy Birthday. It was yesterday. He wished everyone a Happy Memorial Day.

Supervisor D'Alessandro stated we are very blessed with all of the volunteers in our community. So many people to care about the community and he wanted to thank them. He suggested all of the disgruntled people who post on social media to direct that energy towards volunteering. He wished Councilman Franco and Councilman Marinaro both Happy Birthdays as their birthdays are in May. Supervisor D'Alessandro's birthday is also in May. He wished everyone a Happy Memorial Day and they have the parade starting at 10:45 AM. It starts at the Community Center and goes to the Veterans War Memorial on the corner of Route 82 and Beekman Road. The program will start at 11 AM. If you can, please attend. Be safe.

**Motion for Adjournment: Time:** Motion to adjourn the regular meeting at 9:26 PM: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**Town Board Meetings:**

**Regular Meeting/Workshop:**

**June 23, 2022**

**Regular Meeting/Workshop:**

**July 28, 2022**

Respectfully submitted by Julie J. Beyer on behalf of Town Clerk Peter Cassidy – May 31, 2022